

## A REAL PATRIOT ACT

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the article titled "A Real Patriot Act" by Dan Gerstein be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Forbes.com, Aug. 19, 2009]

DANGEROUS THOUGHTS—A REAL PATRIOT ACT  
(By Dan Gerstein)

In this hothouse season of health care hollering, the most popular rallying cry seems to be "Read the bill!" But I would suggest that every politician—and, really, every American—would be better off taking a break from the accusations and acrimony of the moment to read about Bill. That would be Marine Corps Sgt. Bill Cahir, who was killed in action in Afghanistan last week, and whose immense sense of service stands out as a one-man antidote to the cynicism and selfishness that pervades our politics.

You almost have to read Bill's story to believe it. The son of two civic-minded parents from outside State College, Pa., Bill went to Washington right out of college to work on Capitol Hill (where I met him about a dozen years ago). When the partisanship and shallowness became too much to bear, he opted for another form of public service, taking a job as a reporter covering his home region of Pennsylvania from D.C. But after the terrorist attacks of Sept. 11, 2001, something gnawed at him. He did not feel right sitting on the sidelines. His country had been attacked, as one friend told me, and he felt the overriding need to do something about it.

So after a long internal struggle over how to heed this calling, and fairly soon after meeting the woman he would marry, Bill Cahir, at age 34, joined the Marine Corps Reserves.

"We all thought he was crazy," said another friend. So did the Corps commanders. They were so incredulous that a 34-year-old reporter would give up his cushy life for a sure ticket to Iraq that they made him take a psychological test to prove he was of sound mind. His drill instructors at Parris Island were equally suspicious. They thought he was there to write an exposé, or that he might have a hero complex. So they punished him with special fervor, trying to break him. But they misjudged Bill.

"People kept asking him, 'You know what you're doing, right?'" one of the friends I interviewed said. "But he knew exactly what he was doing. He knew he was going to Iraq. He not only knew it, he embraced it."

And the Marines who served with Bill on his two tours in Iraq, including a highly dangerous stretch in Fallujah and the Anbar province as part of the "surge" strategy, embraced him in return. None of them questioned his motives (or that he once worked for Ted Kennedy).

"All I know [is] that he loved his Marines and we loved him," said Jason Brezler, Bill's team commander in Fallujah in 2006 and 2007. "I'm sure you've heard the whole notion that it isn't necessarily the U.S. flag that calls Marines to duty, but the love for their fellow Marines. I know that he would have risked life and limb for any of us on the team, because I watched him do it on countless occasions. And I know that the relationship was reciprocated by us in return."

"What amazed me about Bill was his consistent positive attitude," said Maj. Dan Whisnant, a former company commander in the 24th Marines. "Bill and I spent hours talking to Sheiks, children and the locals, and his sense of service to these people was infectious. He personally was going to create

a better life for these folks. I remember him playing with one of the Sheiks' young sons, and you could sense that the two had connected. Bill's sense of service, attitude and example to the younger Marines was something to behold."

Brezler noted that Bill's maturity was also a tremendous asset to their unit's mission. "Bill was a smart and compassionate warrior. There were instances where he could have employed his weapon against a group of kids who had attacked our convoy with grenades, but he exercised tremendous discipline and did not engage them, because he knew that the second- and third-order effects outweighed the immediate results." Brezler says he often tells this story when explaining effective counterinsurgency. "Many Americans—and even some in uniform—just don't get it," he said.

That was vintage Bill. He always did things the right way. A colleague of his at the Lehigh Valley Express-Times, Tony Rhodin, wrote that his favorite memory of Bill was from election night 2000, when Bill came down from Washington to help cover the campaigns on the ground. While everyone was riveted by the unresolved presidential race, Bill was still working the phones at 5 a.m., trying to get the latest results of an equally close congressional contest in the area. "He was here. There was news. It was the right thing to do."

So was running for Congress. When Bill returned from his second tour in 2007, he could have easily returned to journalism and settled down with his wife, René, to start a family. But he still burned to serve. He decided to go back to his hometown region and compete for the Democratic nomination in the Fifth District. His heroism in Iraq and his family's deep roots in the community were well-known to voters. But Bill was still concerned about being labeled a carpetbagger. To show his commitment to the community, he bought a home there. "This is important," he said to friends.

So too was going to Afghanistan in March with his unit, the Fourth Civil Affairs Group. After losing the congressional primary last fall, Bill went to work as a consultant. When he got called up again by the Marines, he could have avoided going to a hot spot. Instead, he sought it out. "This is what I signed up to do," he explained in an e-mail he sent out to his disbelieving friends.

I read about Bill last Friday, the day after he was killed by enemy fire in the Helmand province, a Taliban stronghold and the site of some of the heaviest fighting in Afghanistan, less than a week before the country's national election. It hit me in a deeply personal, visceral way. Bill was one of the most decent, genuine people I had ever known in Washington, and I remember speaking with him last summer about his campaign. I was crushed to hear that his wife was pregnant with twin girls, and that they would never get to know their honor-defining father.

But more than that, it made me truly realize, in a way that only the death of a friend and peer can, just how much we in politics take for granted the men and women who fight our wars for us. Not all of us, and certainly not all the time. But unless you have lost someone close to you, our recent military actions—especially the "forgotten war" in Afghanistan that took Bill's life—rarely and barely touch us. They are at best debate subjects, and at worst political footballs.

It also made me think about how the word "patriotism" has been demeaned and cheapened by blind partisans on both sides questioning their opponents' "American-ness." Perhaps if our leaders read about Bill, and learned more about what love of country really means from his example, they would think twice before casually hurling these hurtful accusations again.

Fortunately, word about Bill's remarkable story is spreading—he was the subject of a moving segment on Hardball Monday. And his family and friends have paid tribute to his memory by setting up a memorial fund to help assist his wife and their twins.

I heard from many of Bill's loved ones (some of them mutual friends, some of whom I had never met) in preparing this tribute, and none of them could fully explain where his overwhelming commitment to service came from. Bill was not one to toot his own horn. "He would probably be embarrassed by all this attention and being called a hero," one friend told me.

But while they may not have understood its source, they more than appreciated his impact, the lives he saved and the lives he touched. Perhaps the most fitting elegy came from Bill's brother Bart. "I won't offer any anecdotes," he said, "but rather a quote that I think summarized his life from Ben Franklin: 'If you would not be forgotten as soon as you are gone, either write things worth reading or do things worth writing.' My view is that my brother did both." Semper fi, indeed.

25TH ANNIVERSARY OF THE AAO—  
CODE OF ETHICS

Mr. KOHL. Mr. President, I would like to congratulate the American Academy of Ophthalmology as this year marks the 25th anniversary of their groundbreaking ethics code. One of the first of its kind in the medical world, the Academy Code of Ethics represents a milestone. This self-initiated code of ethics paved the way and set the standard for numerous other codes of conduct within professional medical organizations. Since the code's inception in 1983, the academy's Ethics Committee has reviewed over 3,500 inquiries about ethical behavior and concerns about member conduct.

The American Academy of Ophthalmology is the largest national membership association of ophthalmologists, with 430 in Wisconsin alone. Its members are committed to advancing the highest standards of comprehensive eye care and are dedicated to enhancing the quality of life for every patient they serve. The academy uses its code of ethics, a consensus of the members' views on the ethical issues encountered in ophthalmology, to do just that.

I would also like to note the AAO's commitment to educating its members about unintended influence from the drug industry that can result from the acceptance of excessive gifts and payments. Since 1991, its Ethics Committee has encouraged its members to disclose potential conflicts to patients, the public, and colleagues. AAO's internal policies on this matter, which have been continually updated through the years, are very much in line with the Physician Payments Sunshine Act, S. 301, of which I am a lead sponsor.

Because so many complex ethical dilemmas affect nearly every facet of our

health system, the fact that the academy was one of the very first organizations in professional health care to develop an ethical code is truly commendable. Therefore, I once again express my congratulations to the American Academy of Ophthalmology on the 25th anniversary of their code of ethics.

#### ADDITIONAL STATEMENTS

##### REMEMBERING IRVING KRISTOL

• Mr. LIEBERMAN. Mr. President, I wish to pay tribute to the exceptional life, character, and work of Irving Kristol. Irving was an inventive entrepreneur of ideas who was boundless in his wit, creativity, and insight. Though we have lost an intellectual giant, we will continue to cherish and learn from Irving Kristol's rich legacy for years to come.

Irving understood that ideas have consequences—and his immense influence was the result of his unique ability to shape the American political landscape with the power of creative thought. He harnessed this power most impressively in his writing, editing, and publishing. Beginning in 1942 when he cofounded his first magazine—*Enquiry: A Journal of Independent Radical Thought*—this began a tradition of launching small magazines with immense influence. He became instrumental in opinion journals like *Commentary*, *Encounter*, the *New Leader*, the *National Interest*, and, of course, the *Public Interest*, which he founded with Daniel Bell. Though these publications did not enjoy large numbers of subscriptions, Irving Kristol valued the quality of his readership over the quantity and maintained that he could change the world with a circulation of a few hundred. And he did.

He lived the life of the creative mind and inspired many aspiring thinkers and writers to join him in this pursuit. One among them, the noted scholar James Q. Wilson, wrote that “Irving Kristol not only helped changed the country, he changed lives. He certainly changed mine.” Irving inspired in many Americans a desire for honest inquiry and a healthy dose of skepticism that humbled and better prepared us to accept the immense difficulty of making useful changes in public policy.

Though he was a force in intellectual circles around the world, Irving was also a champion for the well-being of ordinary Americans. His mission as a neoconservative, he once said, was to “explain to the American people why they are right, and to the intellectuals why they are wrong.” Irving was a genuine patriot who served bravely in the Second World War and eloquently and forcefully defended America's values and principles. It came as no surprise to me that President George W. Bush awarded Irving Kristol the nation's highest civilian honor, the Presidential Medal of Freedom, in 2002.

Hadassah and I offer our condolences and prayers to Irving's wife Gertrude,

his children, Bill and Elizabeth, and the entire Kristol family. •

##### TRIBUTE TO FRANK M. MCDONOUGH

• Mr. MENENDEZ. Mr. President, today I wish to recognize a man from New Jersey who, through his leadership and commitment to service, has given much back to the country and to his community. This month Frank McDonough is retiring as president of the New York Shipping Association where his leadership will be sorely missed. Frank still speaks with a native, no-nonsense Boston accent, but he is—through and through—a New Jerseyan at heart and in spirit. He has had three accomplished careers. His first was with the U.S. Marines where he spent 21 proud and glorious years. He enlisted in 1957 and rose to the rank of major in 1976. Major McDonough served in Vietnam in combat and combat service support units. In 1968, during the siege at Khe Sanh, he was communications officer of the 1st Battalion, 13th Marines. He was appointed acting battery commander for Headquarters Battery until the headquarters was lost to enemy rocket fire.

He served as communications officer for the 2nd Battalion 26th Marines and for the 1st Reconnaissance Battalion. He was company commander of Echo Company, 2/26 and completed his tour as battalion operations officer under Marine legends COL “Wild Bill” Drumwright and LTC Bill Leftwich. In October, 1970, he was assigned to the United States Army Signal Center and School at Fort Monmouth where he graduated with honors and became the officer-in-charge of the Marine detachment and a distinguished instructor in the officer school. Major McDonough retired in 1978.

Frank McDonough's second career was in law. He completed his undergraduate degree magna cum laude at Boston University and then earned a juris doctorate in 1983. He returned to the Garden State and joined the Monmouth County Prosecutor's Office. Before long he became director of the Environmental Crimes Task Force. Then, as now, Frank McDonough had a strong sense of environmental responsibility. Frank's particular interest has been New Jersey's coastal environment.

In 1986 he entered private practice. He was a member of the bar in New Jersey and the District of Columbia and was admitted to practice before the Third Circuit Court of Appeals and the U.S. Supreme Court.

Frank McDonough's third career got its start courtesy of Governor Christine Todd Whitman. Governor Whitman knew that Frank was the right person to help the State through a developing crisis that threatened the larger bistate region served by the Port of New York/New Jersey. The Governor appointed him to the dredged materials management team that was formed to resolve the “mudlock,” as the New

York Times described the unprecedented dredging crisis. Early in my service as a Member of Congress I also focused efforts to find dredged material management solutions that would enable navigation dredging to resume.

In 1995 Governor Whitman appointed Frank McDonough the State's first executive director of maritime resources. He worked with me and others to help arrive at workable solutions. Resolution was achieved by 1996 with the help of the Clinton White House and the active involvement of Vice President Al Gore.

Frank McDonough must have liked the challenges of the port world because that is where he made his third career. In 2000, he retired from the State and was appointed executive director of the advocacy organization, *Nation'sPort*, and served as a visiting professor and advisory board member of the Center for Maritime Systems at Stevens Institute of Technology.

In 2001, Frank was elected president of the New York Shipping Association, the position from which he is now retiring. He has been the principal advocate for the marine terminal operators and steamship lines that call on the Port of New York/New Jersey, the third largest in the country. He has been responsible for negotiating and managing the labor contracts, managing the various welfare and pension programs, and hiring, training and dispatching the workers.

Frank McDonough's watch at the port has been a dynamic and challenging period. Cargo experienced double digit growth for much of that time until last year when the trade market fell as the global economy went into recession. During this period the port has been at the forefront of port security initiatives in response to a more dangerous world and new Federal mandates developed to combat it. Frank's role has included serving as vice chairman of the New York Harbor Area Maritime Security Committee.

Throughout this tumultuous time, Frank McDonough has been a steady figure on the business side of the port. He led his member companies to undertake important initiatives to reduce the port's environmental imprint even as cargo flow increased. He worked to reduce the port's dependency on trucking and increase the use of congestion-relieving rail and marine transportation for moving cargo between points in the U.S.

Frank McDonough's contributions to his community and State's natural resources are a matter of record, including serving as president of the New Jersey Jaycees, president of the Monmouth-Ocean Development Council, founding president of the Friends of the Monmouth County Parks, and trustee of the New Jersey Marine Sciences Consortium. He also has been chairman of the New Jersey Tidelands Resource Council where he has served for 14 years under five Governors.

Frank and his wife Rita have lived in Monmouth County, NJ. They have four